IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.736 OF 2006

Mulchand K. Shah : Petitioner

V/s.

Regional Provident Fund Commissioner for Maharashtra & Goa & Ors. : Respondents

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Ms B. Dholakia i/b. Mr.P.M.Patel for the petitioner.

Mr.Suresh Kumar for respondent Nos.1 & 2.

Mr.V.P.Vaidya for respondent No.3.

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**CORAM : F.I.REBELLO & ANOOP V. MOHTA,JJ.**

DATE : APRIL 7, 2006.

**P.C**.

1. The grievance of the petitioner is that he has been paid less provident fund dues than what the petitioner is entitled to. Insofar as respondent No.2 is concerned, there was an amount of Rs.1,03,634/- standing to the credit of the petitioner as on 1.3.1997. Subsequently, the amount which the petitioner is entitled to has been transferred to respondent No.1. The major grievance of the petitioner is about the amount received from respondent No.1.

2. Having considered the controversy which involves factual aspects, the petition can be disposed of by issuing following directions:-

(i) The petitioner to make a detailed representation to respondent No.1 setting out his entitlement within two weeks from today.

(ii) Respondent No.1 to consider the representation and, thereafter, work out the entitlement of the petitioner, according to law, within a period of four weeks thereafter. If respondent No.1 accepts the representation made by the petitioner, then respondent No.1 to direct payment of the balance amount, according to law.

3. The rule is made absolute accordingly. No order as to costs.

F.I. REBELLO, J.

ANOOP V. MOHTA, J.